

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11832-GAO

RONNIE JONES, RICHARD BECKERS, WALTER R. WASHINGTON,
WILLIAM E. BRIDGEFORTH, SHAWN N. HARRIS, EUGENE WADE,
GEORGER C. DOWNING, JR., CLARARISE BRISTOW and the
MASSACHUSETTS ASS'N OF MINORITY LAW ENFORCEMENT
OFFICERS,
Plaintiffs,

v.

CITY OF BOSTON, BOSTON POLICE DEPARTMENT and
KATHLEEN O'TOOLE as she is Commissioner of the Boston Police
Department.
Defendants.

**DEFENDANTS' MOTION (WITHOUT OBJECTION) TO ENLARGE TIME TO FILE
RESPONSIVE PLEADINGS PURSUANT TO FED.R.CIV.P. 6(B)**

NOW COME the Defendants, who respectfully move this Honorable Court pursuant to Fed. R. Civ. P. 6(b) for an extension of time to file responsive pleadings. As grounds for this motion, the Defendants state that:

1. The Defendants removed this action to this Court on Friday, September 9, 2005, and responsive pleadings are due on Friday, September 30, 2005;
2. Undersigned counsel was informed on September 13, 2005, that the Defendants may appoint outside counsel to represent them in this matter;
3. The decision as to representation is expected to be made in the next week;
4. The Defendants prefer that counsel who ultimately handles the above-entitled action have the opportunity to make responsive pleadings on their behalf. In the event that new counsel is appointed, said counsel will require additional time to investigate the Complaint and draft responsive pleadings;
5. The Plaintiffs do not object to the Defendants' request for more time to file responsive pleadings (see attached Rule 7.1 Certificate);
6. The Defendants request an extension until October 7, 2005, to file responsive pleadings; and,

7. Allowing this motion will not prejudice any party to the action and permitting the Defendants an extension to file responsive pleadings to Plaintiffs' Complaint will further the interests of justice.

WHEREFORE, the Defendants respectfully request that this Honorable Court allow their motion to extend time to file responsive pleadings, and set the date for filing of responsive pleadings on or before October 7, 2005.

Respectfully submitted,

DEFENDANTS, CITY OF BOSTON, BOSTON
POLICE DEPARTMENT and KATHLEEN
O'TOOLE

Merita A. Hopkins
Corporation Counsel
By their attorneys:

/s/ Amy E. Ambarik
Amy E. Ambarik, Esq.
BBO# 637348
Legal Advisor
Margaret M. Buckley
BBO No. 561101
Staff Attorney, Office of the Legal Advisor
Boston Police Department
One Schroeder Plaza
Boston, MA 02120
(617) 343-4550

James M. Chernetsky, Esq.
BBO# 638152
Assistant Corporation Counsel
City of Boston Law Department
Room 615, City Hall
Boston, MA 02201
(617) 635-4048

CERTIFICATION OF CONFERENCE

Pursuant to Local Rule 7.1(2), undersigned counsel for the Defendants states that Attorney Buckley has conferred with counsel for the Plaintiffs, and that Rheba Rutkowski, Esq. counsel for the Plaintiffs, has indicated that the Plaintiffs do not oppose this motion.

/s/ Amy E. Ambarik

Amy E. Ambarik, Esq.

BBO# 637348

Legal Advisor

Boston Police Department

One Schroeder Plaza

Boston, MA 02120

(617) 343-4550

9/29/05

Date